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	APPLICATION NO. FILING DA		G DATE	TE FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
	09/601,751 08/07/2000 7590 06/18/2002		7/2000	BERTIL R.R. PERSSON	U012883-2	9637	
LADAS & PARRY					EXAMINER		
26 WEST 61ST STREET NEW YORK, NY 10023				•	OROPEZA, FRANCES P		
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3762 DATE MAILED: 06/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.  Os/601,751  Examiner  Frances P. Oropeza  3762  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of ime may be available under the provisions of 37 CR 1.136(a). In ore event, however, may a reply be limbly fleed after SX (6) MONTHS from the mailing date of this communication.  Extensions of ime may be available under the provisions of 37 CR 1.136(a). In ore event, however, may a reply be limbly fleed after SX (6) MONTHS from the mailing date of this communication.  Extensions of ime may be available under the provisions of 37 CR 1.136(a). In ore event, however, may a reply be limbly fleed after SX (6) MONTHS from the mailing date of this communication.  Extensions of ime may be available under the provisions of 57 CR 1.136(a). In ore event, however, may a reply be limbly fleed after SX (6) MONTHS from the mailing date of this communication.  Extensions of the major of the communication of the six of the provision of the provision of the provision of the provision of the communication of the six of the provision of the communication of the provision of the provision of the communication of the provision of the provision of the provision of the provision of the communication of the provision of the provision of the communication of the provision of the p				1	U						
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<ul> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> </ul>	a)										
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14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).	14) 🗌 A	Acknowledgment is made of a claim for do	omestic priority under 35 U.S.C. §	119(e) (to a provisional application).							
a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.											
Attachment(s)	•	•	· •								
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	2) Notic	ce of Draftsperson's Patent Drawing Review (PTO-9	948) 5) Notice of Ir								

## **DETAILED ACTION**

## Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention: One species, figures 4a-c and 5, are electrode applicators for external or superficial tumors. A second species, figures 4 d, 6 b-d and 8, are electrode applicators for interstitial tumors. A third species, figures 7 a-c, are electrode applicators for tumors in body cavities and in organs accessible via large vessels.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there are not claims that are deemed to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the

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examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fran Oropeza whose telephone number is (703) 605-4355. The examiner can normally be reached on Monday – Thursday from 6 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela D. Sykes can be reached on (703) 308-5181. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 306-4520 for regular communication and (703) 306-4520 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0858.

Frances P. Oropeza Patent Examiner

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